



DEPARTMENT OF THE NAVY

NAVAL AIR SYSTEMS COMMAND
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IN REPLY REFER TO:
FOJ_ 19_0275

JUSTIFICATION FOR AN EXCEPTION TO FAIR OPPORTUNITY

1. Contracting Activity.

Naval Air Systems Command (NAVAIR) Headquarters

2. Nature and/or Description of Action being Approved.

This Exception to Fair Opportunity Justification (FOJ) authorizes and approves the modification of competitively-awarded Contract N00019-17-D-0096 Task Order N0001918F2569 to add [REDACTED] hours of services monthly to one site in support [REDACTED]

[REDACTED] for one site awarded on this task order to AAI Corporation, 124 Industry Ln., Hunt Valley, MD. The resulting task order modification will modify the option periods of performance. This task order procures land-based Unmanned Aircraft Systems (UAS) Intelligence, Surveillance and Reconnaissance (ISR) Services in support of [REDACTED]

[REDACTED]. This task order was awarded under the NAVAIR UAS ISR Services Multiple Award Contract (MAC) for which Insitu, Inc., of Bingen, WA, PAE ISR, LLC. of Sterling, VA, and Academi Training Center LLC. of Reston, VA were also awarded contracts.

3. Description of the Supplies or Services Required to Meet the Agency's Needs (including the estimated value).

AAI Corporation is currently providing UAS ISR Services in support of [REDACTED] requirements, delivering up to [REDACTED] sensor data hours per month to [REDACTED]. This modification will meet the increased requirement for [REDACTED] additional sensor data hours per month for Option Periods 1 and 2, totaling twelve (12) months, [REDACTED]

4. Identification of the Justification Rationale (see FAR 16.505(b)(2)) and, if applicable, a Demonstration of the Proposed Contractor's Unique Qualifications to Provide the Required Supply or Service.

This modification is in response to [REDACTED] operational necessity in order to support [REDACTED] operations across the battlespace at [REDACTED] serviced by AAI Corporation. It is imperative that interruption of ISR services at [REDACTED]

■ is minimized as it would endanger the warfighter, non-combatants, and the mission of ■. In accordance with FAR 16.505(b)(2)(i)(A), this modification must be issued on a sole-source basis as “the need for the services is so urgent that providing a fair opportunity would result in unacceptable delays”. The acquisition cycle time required to award a separately competed follow-on contract would result in a delay in service of approximately 90 days. Based upon its current operations at ■, AAI Corporation is in a position to provide uninterrupted service.

Additionally, this modification will ensure support for ■ across the battlespace for the option periods, should those options be exercised. In accordance with FAR 16.505(b)(2)(i)(C), the modification “must be issued on a sole-source basis in the interest of economy and efficiency because it is a logical follow-on to an order already issued under a competitively awarded contract for which all awardees were originally given a fair opportunity to be considered for the original award”. Specifically, the current task order was originally awarded in March 2018 with a base year plus two option periods totaling a deployment period of performance of 24 months.

5. A Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable.

In accordance with FAR 15.402(a), the Contracting Officer shall ensure that all supplies and services ordered under the contract are procured at a fair and reasonable price. The contractor will be required to submit a proposal for this effort with sufficient information to support the accuracy and reliability of the estimate. The contractor will submit cost or pricing data in accordance with FAR 15.403-4. Experienced technical analysts and contract specialists, with the aid of necessary field pricing support, will review the contractor's proposed cost. Analysis will be based on information such as historical costs and rate recommendations provided by field pricing support agencies (Defense Contract Management Agency and Defense Contract Audit Agency). The Contracting Officer will use cost and price analysis as the basis of negotiating a fair and reasonable price for the required efforts stated herein.

6. Any other Facts Supporting the Justification.

The cost to the Government in administrative effort associated with re-competing the order, including the remaining option periods, would likely outweigh any savings that might be realized from competing the additional service requirement.

7. A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers that Led to the Exception to Fair Opportunity before any Subsequent Acquisition for the Supplies or Services is Made.

Future requirements for UAS ISR Services which fall within the parameters of the UAS ISR Services MAC will be competed among the MAC awardees unless an exception to Fair Opportunity exists in accordance with FAR 16.505(b)(2).

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]